

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

RENALDO JOHN SONSINI, II	:	CIVIL NO: 1:20-CV-00392
	:	
Plaintiff,	:	(Magistrate Judge Schwab)
	:	
v.	:	
	:	
LEBANON COUNTY, <i>et al.</i> ,	:	
	:	
Defendants.	:	
	:	

ORDER

February 16, 2021

For the reasons set forth in the Memorandum Opinion filed concurrently with this Order, **IT IS ORDERED** that the Lebanon County Defendants' motion (*doc. 14*) to dismiss the amended complaint is **GRANTED IN PART** and **DENIED IN PART** as follows:

- (1) All the 42 U.S.C. § 1983 claims against defendant Lebanon County are dismissed without prejudice;
- (2) All the 42 U.S.C. § 1983 claims against defendants Phillips, Ames, Litz, Wolgemuth, Karnes, Hauck, Folton, Loyola, Eby, Kane, Davis, Nasr, and Barrette in their official capacities are dismissed without prejudice;
- (3) All the 42 U.S.C. § 1983 claims against defendants Phillips, Ames, Litz, Wolgemuth, Karnes, Barrette, Loyola, Nasr, Eby, and Davis in their individual/personal capacities are dismissed without prejudice;

(4) All the 42 U.S.C. § 1983 claims against defendant Hauck in his individual/personal capacity except the Eighth Amendment claim against defendant Hauck based on an ongoing denial of medical care are dismissed without prejudice;

(5) All the 42 U.S.C. § 1983 claims against defendants Folton and Kane in their individual/personal capacities except the Eighth Amendment claim that they failed to provide Sonsini a diet in accordance with his medical needs are dismissed without prejudice;

(6) All the ADA and RA claims against all the defendants are dismissed without prejudice;

(7) The claims for compensatory damages based on the Pennsylvania Constitution are dismissed with prejudice;

(8) All the claims against defendants Matias, Cresini, Powers, Ardire, Santoni, Garbaz, Clements, Nurse Tammy, and the John and Jane Doe defendants are dismissed without prejudice;

(9) The claims for injunctive and declaratory relief and attorney's fees are dismissed with prejudice.

IT IS FUTHER ORDERED that Sonsini may file a second amended complaint within 28 days of the date of this Order.

S/Susan E. Schwab

Susan E. Schwab

United States Magistrate Judge